IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O. O. C. J.

SUMMARY SUIT NO.2531 OF 2007

Nitesh Jain. ...Plaintiff.

Vs.

Shashikant C. Padwal & Anr. ...Defendants.

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Mr. Sunil Kanojia i/b. Kiran Jain & Co. for the Plaintiff.
None for the Defendants.

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CORAM :DR.D.Y.CHANDRACHUD, J.
December 5, 2007.

P.C.:

The suit under Order 37 of the Code of Civil Procedure, 1908 is based on a Demand Promissory Note jointly signed and executed by the Defendants in the sum of Rs.75,000/- for consideration received. Despite a demand notice dated 2nd July 2007, no payment has been made. The Defendants have been served with the writ of Summons and an affidavit of service has been filed. The Plaintiff has placed on the record a compilation of original documents on the basis of which the claim has been duly proved. The Plaintiff would, therefore, be entitled to a decree. The suit shall accordingly stand decreed as prayed with the modification that the Plaintiff would

be entitled to interest at the rate of 12% per annum from the date of the suit until payment or realisation.

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